



Genomic Health, Inc.

301 Penobscot Drive
Redwood City, CA 94063

www.genomichealth.com

May 9, 2008

SFM 01/07

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The Honorable Rosario Marin
Chair, California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Fax: 916-263-0959

Re: Express Terms for Proposed Building Standards of the Office of the State Fire
Marshall (SFM) Regarding the 2007 California Fire Code, California Code of
Regulations Title 24, Part 9

Dear Secretary Marin:

We are writing in support of the L Occupancy provision included in the Express Terms
being proposed by the State Fire Marshall (SFM).

Genomic Health is a life science company focused on the development and
commercialization of genomic-based clinical diagnostic tests for cancer that allow
physicians and patients to make individualized treatment decisions. As of April 2008 the
company has over 330 employees, a significant increase from just over a 100 a few years
ago. We launched our first test under the brand name *Oncotype DX* for early stage breast
cancer patients. *Oncotype DX* is the first multi-gene expression test commercially
available that has clinical evidence validating its ability to predict the likelihood of breast
cancer recurrence and the likelihood of chemotherapy benefit.

As of March 31, 2008, more than 55,000 *Oncotype DX* tests had been delivered for use in
treatment planning by more than 7,000 physicians. As of April 2008, approximately 80%
of all U.S. insured lives were covered by health plans that provide reimbursement for
Oncotype DX. In late 2007, The American Society of Clinical Oncologists, or ASCO,
and the National Comprehensive Cancer Network, or NCCN, issued updated clinical
practice guidelines that include the use of *Oncotype DX*. *Oncotype DX* is commercially
available through our laboratory located in Redwood City, California, which is accredited
under the Clinical Laboratory Improvement Amendments of 1988, or CLIA, and by the
College of American Pathologists, or CAP.

We continue to conduct research and development studies in a variety of cancers
including breast, colon, renal cell, prostate, lung, and melanoma.

We strongly believe the L-Occupancy provides important controls and safety provisions
for any research and development laboratory containing hazardous materials in the State
of California. The current codes developed by the International Code Council (ICC) will
not support the facilities demands our industry anticipates. Approval of the L-Occupancy
provision is critical to the ongoing growth and development of our industry in California.

The life sciences industry is a quickly evolving industry and requires a broad range of biological and chemical work to be performed in a laboratory environment. This work is very similar to work being conducted in university laboratories. Therefore, clarifying and codifying the L-Occupancy in the 2007 California Building Code for use by any such research and development laboratory will ensure that all such facilities be developed with the same controls and safety provisions.

We believe that the State Fire Marshall acted within the scope of her authority to propose these essential code amendments. The State is well served by the work the State Fire Marshall has done in ensuring that all laboratory facilities throughout the State of California are built to the same safe standards. The codes being proposed are the result of an extensive and inclusive process created by the State Fire Marshall's Office. This was a constructive process that has addressed all the issues and included representatives of industry and regulatory organizations from across the State.

State Fire Marshall Kate Dargan, Chief Tonya Hoover and their staff should be thanked for their leadership in this important endeavor. Other states with significant industry presences are examining these codes and looking to adopt some of the codes being discussed.

We heartily endorse these Express Terms as they serve to clarify the requirements for any research and development laboratories and enhance the safety measures and controls that will ensure safe operations. We ask that these measures be approved.

Sincerely,



Brad Cole
Executive Vice President, Operations & CFO
Genomic Health, Inc.